REMARKS

The Office Action mailed August 9, 2005 has been received and reviewed. The Examiner required Applicant to elect one or two inventions. Applicant elects the invention directed to a method of making the micro-reactor, classified in class 228, subclass 254. Accordingly, Applicant has canceled claims 15-18. Applicant has added new claims 19-35.

The Examiner also indicated that if the method claims were elected, Applicant would have to elect one of five species. Applicant traverses this species requirement. As an initial matter, claim 3 is directed to a dimension of a foil layer, not the composition of the metal layer. Secondly, it is not apparent from the Examiner's Office Action the reason that the composition of the metal layer is a distinct species of the invention. The Examiner also asserted that photo-etching constituted a distinct species. As the Examiner is aware, one form of lithography includes photo-etching. Method claim 1 requires a plurality of the metal foil layers to be at least partially formed by a lithographic technique. It is thus unclear why the limiting of the required lithographic step to include a photo-etching process constitutes a distinct species of the invention. The Examiner also asserted that claims drawing to the use of alignment holes constitute a distinct species. Method claim 1 requires the metal foil layers to be stacked and aligned. It is unclear why the specific method for aligning the metal foil layers constitutes a distinct species. The Examiner asserted that the claims directed to a brazing claim constitutes a distinct species. Method claim 1 requires the plurality of foil layers to be connected together. The claims directed to a brazing step is one form of brazing. It is unclear why the specific method of connecting together the metal foil layers constitutes a distinct species. Finally, the Examiner asserted that the method steps of generating a computer image to facilitate in forming the metal foil layers constitutes a distinct species. Method claim 1 requires a plurality of layers to be formed by a lithographic technique. The application discloses that such lithographic

technique can include the use of computer generated images. As such, it si unclear why the generating of computer images results in a distinct species. For at least the reasons set for above, the division of species should be withdrawn

As the Examiner is aware, one embodiment of the invention is disclosed in FIGURE 6. This embodiment specifically discloses a step directed to electronically generating shapes for the metal foil layers, using masks to form the foil layers, and using brazing material to connect the metal foil layers together. For at least this additional reason, at least alleged species Ib, Id and Ie should be withdrawn in view of FIGURE 6.

Applicant requests reconsideration of the requirement to elect a single species of the invention. Although Applicant believes that the species election should be withdrawn, Applicant elects the species directed to the use of computer generated images.

Respectfully submitted,
FAY, SHARPE, FAGAN, MINNICH & McKEE

By: _____

BRIAN E. TURUNG
Reg. No. 35,394
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
Telephone: (216) 861-5582
Facsimile: (216) 241-1666